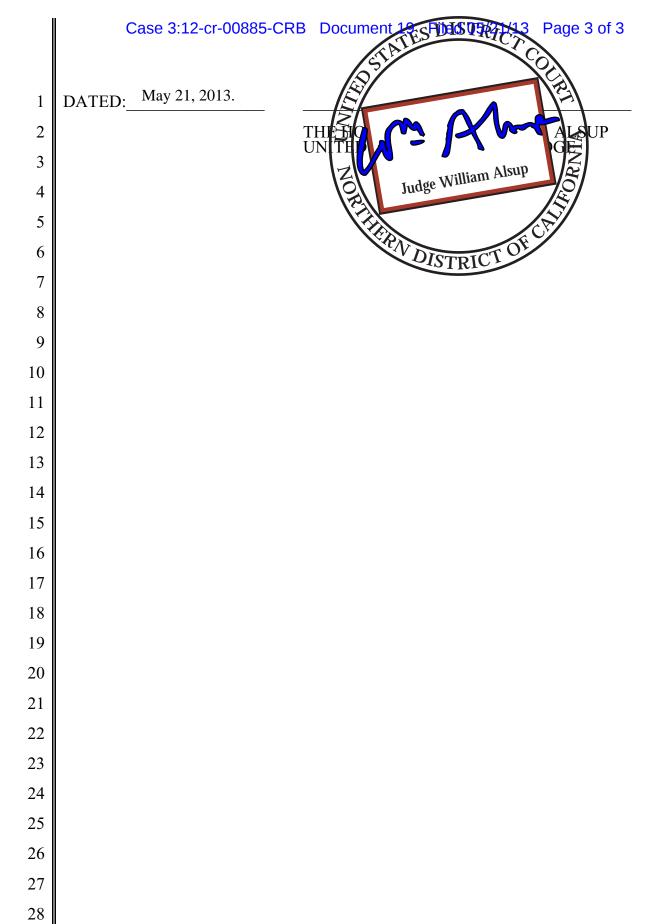
1 2 3 4	450 Golden G San Francisc	ic Defender I M. FALK deral Public Defender			
5	Counsel for Defendant GRAVES				
6					
7	IN THE UNITED STATES DISTRICT COURT				
8	FOR THE NORTHERN DISTRICT OF CALIFORNIA				
9	INITED C	TATES OF AMEDICA	,	No. CD 12 995 WILL	
10		TATES OF AMERICA,)	No. CR 12-885 WHA	
11	Pia V.	Plaintiff,		STIPULATION and [PROPOSED] ORDER TO MOVE MOTION HEARING DATE TO JULY 9, 2013 Date: June 18, 2013 Time: 2:00 p.m. Court: The Honorable William H. Alsup	
12	MATTHEW GRAVES, Defendant.				
13					
14					
15 16)		
17	Undersigned accuracy attinuents as fallows:				
18	Undersigned counsel stipulate as follows:1. A motion hearing on Mr. Graves' pretrial motions is currently scheduled in this				
19	1.		•	ng briefs are due tomorrow, May 21, 2013;	
20	2		•	•	
21	2.	2. The parties are currently involved in pretrial negotiations and believe that a			
22	2	disposition of the case short of trial is feasible;			
23	3. Because motion practice - specifically, the filing of the defendant's pretrial				
	motions – will greatly interfere with the parties' mutual ability to settle the case,				
24	defense counsel is requesting a three week continuance for the filing of pretrial				
25	motions in this matter, and to move the motion hearing date to July 9, 2013 at				
26	2:00 pm. This date is still well ahead of the trial date, currently scheduled for				
27		September 9, 2013. Counsel is not requesting a continuance of the trial date at			
28	this time;				
	4.	At this time, the only pretria	1 motio	ns contemplated by defense counsel are a	

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1	motion to suppress based on a warrantless probation search, as well as a motion					
2	demanding disclosure of 404(b) material well in advance of trial (or, in the					
3	alternative, a motion to exclude 404(b) material). The 404(b) motion is					
4		traditionally handled as an in limine motion by the Court; however, the scope of				
5		404(b) material involved in this case requires, in defense counsel's estimation,				
6		advanced briefing and contemplation by the Court;				
7	5.	. Were the Court to agree to the stipulated continuance, the briefing schedule for				
8	defendant's pretrial motions would be as follows:					
9		Opening Brief Due: June 11, 201	13			
10		Response Due: June 25, 2013				
11		Reply Due: July 2, 2013				
12		Hearing: July 9, 2013.				
13	IT IS SO STIPULATED.					
14	11 15 50 51	IPULATED.				
15	DATED:	May 21, 2013	/S/			
16			ELIZABETH M. FALK			
17			Assistant Federal Public Defender			
18						
19	DATED:	May 21, 2013	/S/			
20		• /	KEVIN BARRY			
21			Assistant United States Attorney			
22						
23	[PROPOSED] ORDER GOOD CAUSE APPEARING, it is hereby ORDERED that the motion hearing or					
24						
25	Defendant's pretrial motions is hereby continued to July 9, 2013 at 2:00 p.m. The					
2627	briefing schedule suggested by the parties in the aforementioned stipulation is hereby					
28	ADOPTED by this Court.					
۵۵	IT IS SO ORDERED.					
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